

COUNTY OF LOS ANGELES CIVIL SERVICE COMMISSION



2023 ANNUAL REPORT

COMMISSIONERS:

PERCY DURAN III
EMILIA C. HUNTLEY
HEIDI SEGAL
JOHN DONNER
DICKRAN TEVRIZIAN

CRAIG M. HOETGER, EXECUTIVE DIRECTOR



COUNTY OF LOS ANGELES CIVIL SERVICE COMMISSION

OPENING REMARKS



This year the Commission finally returned to in-person meetings after the state of emergency was lifted in February. This marked the first time since March 2020 that the Commission met in person, following nearly three years of virtual meetings due to the COVID-19 pandemic. Although the preference is for parties to also appear in person, the Commission has decided to continue to allow individuals the option of attending meetings remotely. Audio-visual equipment was installed in the meeting room for this purpose and, while there have been a few hiccups as everyone adjusts to the new system, we believe the benefits of allowing parties greater flexibility in how they may appear before the Commission are well worth it.

In addition to meetings, in-person Commission evidentiary hearings also resumed this year. However, in the interests of increasing efficiency and ensuring swifter due process in appeals, the Commission voted in May to implement a hybrid system of remote and in-person hearings. Under this new system, hearings will be held remotely unless a request for an in-person hearing is made by a party. When such a request is made, the hearing officer, after providing an opportunity for input from the parties, makes the final decision as to which parts of the hearing, if any, will be conducted in-person. We believe this process, which is set forth in Commission Procedural Rule 5.11, not only will provide more flexibility to the parties, but also will result in reduced delays in closing cases.

Finally, I want to express my gratitude to the Commission staff, who for the last three years had the ongoing task of administering our virtual meeting and hearing process, something never before done at the Commission. The process of scheduling, overseeing, and troubleshooting hundreds of remote hearings was an enormous responsibility. The entire staff performed their jobs with dedication, care, and attention to detail. As reflected in the many comments I have received from hearing officers, court reporters, and parties, the staff's efforts have been greatly appreciated.

A handwritten signature in blue ink, reading "Craig M. Hoetger".

Craig M. Hoetger
Executive Director



COUNTY OF LOS ANGELES CIVIL SERVICE COMMISSION

I. INTRODUCTION

The Civil Service Commission (“Commission”) is the only County Charter mandated independent Commission and serves as the quasi-judicial appellate body for classified employees who have been disciplined, i.e., discharged, reduced, and/or suspended in excess of five days. The Commission has jurisdiction regarding allegations of discrimination in the imposition of discipline or the treatment of persons seeking employment in the classified service of the County. The Commission also hears appeals of employees, persons seeking employment, and of the scored portions of examinations. Additionally, the Commission serves as the administrative appeals body for a number of cities that directly contract with the County.

The Commission is comprised of five (5) Commissioners appointed by the Board of Supervisors. The Commissioners in 2023 were:

Percy Duran III	First District
Emilia C. Huntley	Second District
Heidi Segal	Third District
John Donner	Fourth District
Dickran Tevrizian	Fifth District



The Commission’s day-to-day operations were overseen by the Craig M. Hoetger, Executive Director, who managed a staff of eight (8) full-time employees and two (2) Student Workers. Staff for the Commission are part of the Executive Office of the Board of Supervisors:

Steve Cheng	Deputy Executive Director
Lupe Castellanos	Custodian of Records
Karen Magsino-Natividad	Deputy Compliance Officer
Luz Delgado	Head Commission Specialist
Harry Chang	Head Commission Specialist
Svetlana Vardanyan	Intermediate Commission Specialist
Meagan Alday	Commission Specialist
Yancely Welch	Commission Specialist
Erebooni Khodabakhshian	Student Worker
Alexus Mendez	Student Worker
Vacant	Student Worker



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II. APPEALS PROCESS

The appeals process commences with the filing of a petition for hearing. In 2023, the Commission received 167 petitions for hearing (127 disciplinary and 40 discretionary). The disciplinary matters include 63 discharges, 58 suspensions, and 8 reductions. The Commission granted hearings in 117 cases filed in Calendar Year 2023.

When a matter is granted a hearing, the case is assigned to one of the Commission's hearing officers. The hearing officers serve as the trier of fact and preside over evidentiary hearings. Parties to hearings have the opportunity to present, subpoena, and cross-examine witnesses. In disciplinary matters, the Los Angeles County Civil Service Rules provide that the burden of proof is on the Department. In all other cases, the burden of proof is on the petitioner. Subsequent to the close of hearings, the hearing officers submit reports and recommendations for the Commission's consideration. Hearing officers' reports must include findings of fact, conclusions of law and recommendations for discipline. If the Commission adopts a hearing officer's recommendation, the parties may file objections. The Commission considers objections and if the Commission adopts a new proposed decision based upon objections, any party who has not previously filed objections may do so. After all parties have been provided an opportunity to submit objections and present them orally at the Commission's regular meeting, the Commission renders its final decision.



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During 2023, 220 matters were closed. These matters were closed as follows:

- Denied
 - 29 matters requesting hearings were denied by the Commission.
- Dismissed
 - 29 cases were dismissed without a full hearing.
- Withdrawals/Settlements
 - 77 matters were withdrawn or settled.
- Completion of Evidentiary Hearing
 - 74 disciplinary matters were closed after completion of the evidentiary hearing process.
 - The Departments' actions were upheld in 54 cases (73%).
 - The Departments' discipline was modified in 13 cases (18%).
 - The Departments' discipline was not sustained in 7 cases (9%).

The following pages contain statistical and graphical breakdowns of the petitions that were filed, and the decisions rendered post-hearing by the Commission.



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2023 PETITIONS FOR HEARING

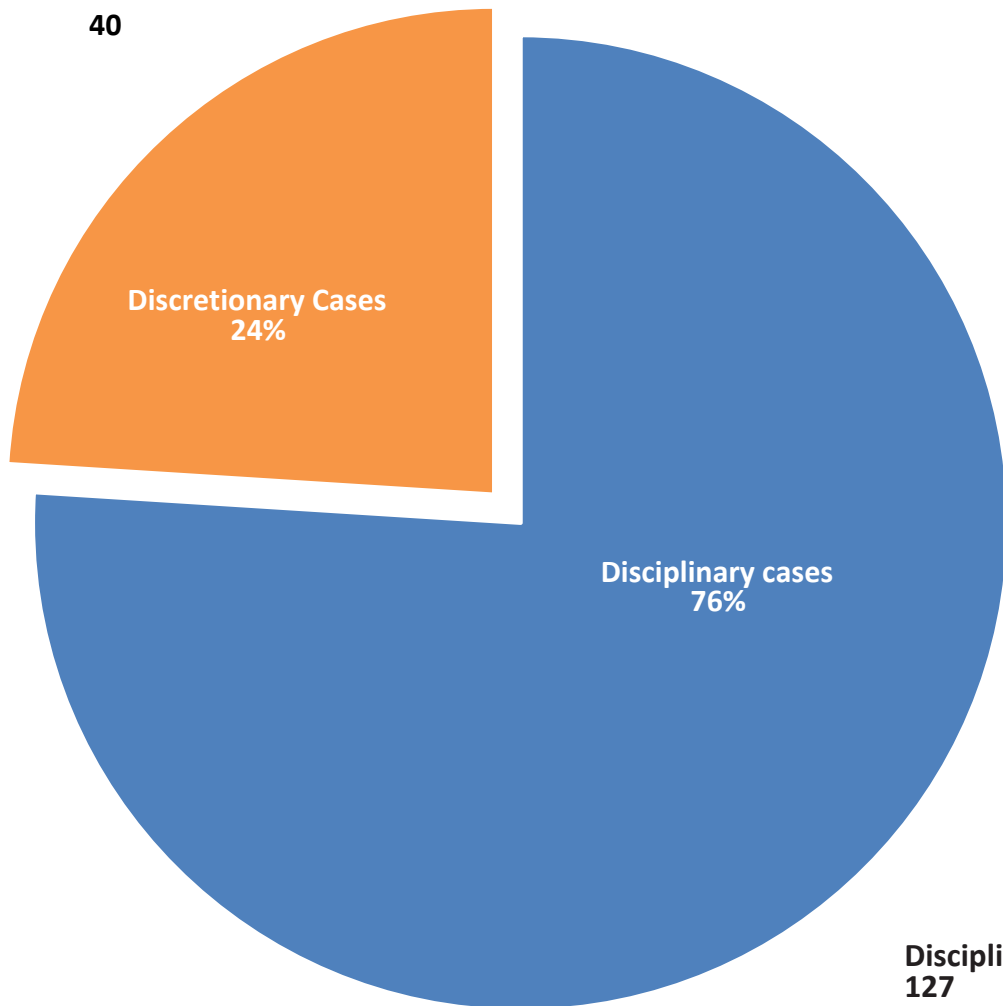
DEPARTMENT	DISCIPLINARY	DISCRETIONARY	TOTAL
Agricultural Commissioner/Weights & Measures	1	0	1
Animal Care and Control	4	0	4
Assessor	0	1	1
Auditor-Controller	1	0	1
Beaches & Harbors	1	0	1
Child Support Services	1	3	4
Children & Family Services	6	1	7
District Attorney	2	0	2
Fire	9	5	14
Health Services	15	4	19
Human Resources	0	7	7
Medical Examiner	1	0	1
Mental Health	1	0	1
Parks and Recreation	0	1	1
Probation	14	1	15
Public Defender	0	7	7
Public Health	1	2	3
Public Social Services	11	3	14
Public Works	1	2	3
Registrar-Recorder/County Clerk	2	0	2
Sheriff	55	2	57
Superior Court	0	1	1
Treasurer & Tax Collector	1	0	1
GRAND TOTALS	127	40	167



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CIVIL SERVICE COMMISSION 2023 CASE DATA

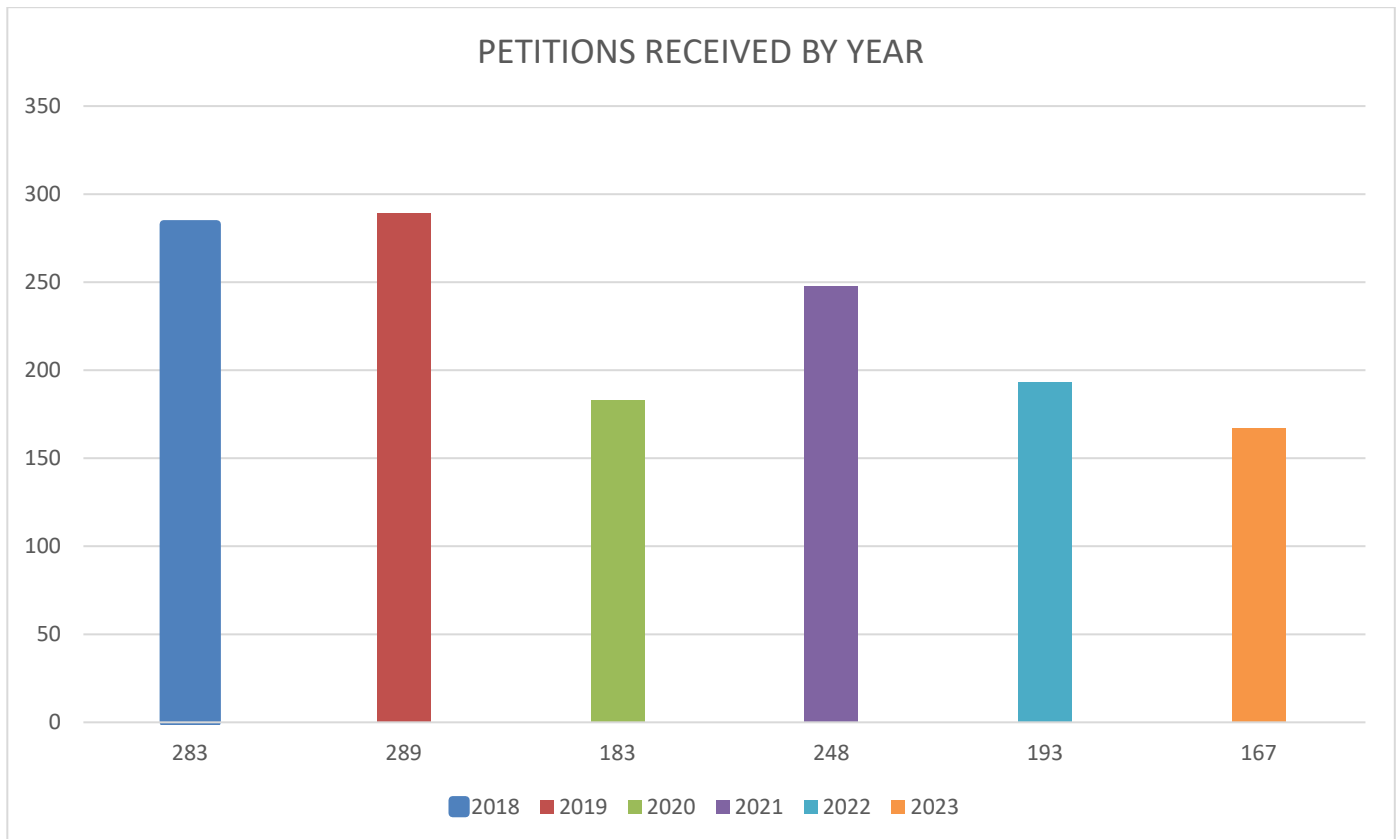
Discretionary Cases
40



■ Disciplinary Cases
■ Discretionary Cases



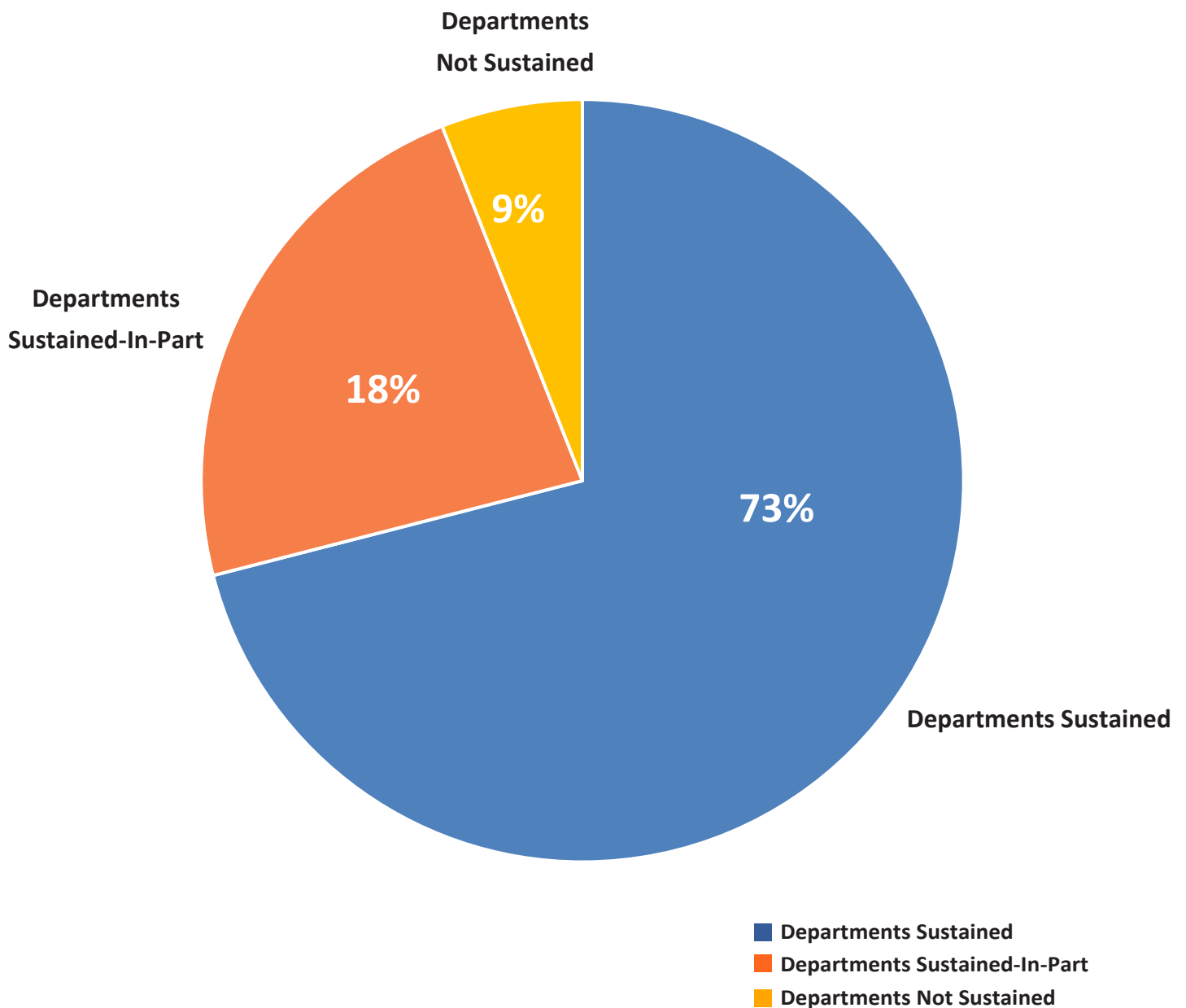
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CIVIL SERVICE COMMISSION 2023 POST-HEARING DISCIPLINARY OUTCOMES





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POST-HEARING DECISIONS 2023

DEPARTMENT	SUSTAINED	NOT SUSTAINED	SUSTAINED IN PART
Agricultural Commissioner/Weights & Measures	1	0	0
Assessor	1	0	0
Child Support Services	1	0	1
Children and Family Services	3	0	0
Department of Economic Opportunity	0	1	0
Fire	3	2	1
Health Services	3	0	0
Internal Services	1	0	1
Mental Health	1	0	0
Museum of Art	0	0	1
Parks and Recreation	0	0	1
Probation	8	1	3
Public Health	2	0	0
Public Library	1	0	0
Public Social Services	3	0	0
Public Works	1	0	0
Sheriff	25	3	5
TOTAL	54	7	13



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III. DISCIPLINE OVERTURNED OR MODIFIED BY THE COMMISSION

1. Case No. 19-292, Rosemary Broward (Dept. sustained in part) – The department suspended the employee for 25 days from the position of Child Support Officer II for employee accountability, employee conduct, confidential information access and disclosure, employee behavior, disrespectful conduct/insubordination, on or off duty criminal or unbecoming conduct, performance standards and expectations. The Commission adopted findings and recommendation of the hearing officer who found not all of the allegations were proven and a 15-day suspension is the appropriate discipline. Commissioner Huntley dissented.
2. Case No. 20-156, Maritza Dubie (Dept. not sustained) – The department suspended the employee for 15 days from the position of Human Services Manager II for dishonesty, theft, misappropriation and related misconduct, and performance to standards or expectations. The Commission adopted, as their proposed decision, the findings and recommendation of the hearing officer who found that the department met its burden in proving almost all of the allegations, the penalty is reduced to a 10-day suspension. No timely objections filed; therefore, Commission's proposed decision became final.
3. Case No. 21-245, Stephan Sanchez (Dept. sustained in part) – The department suspended the employee for 10 days from the position of Ocean Lifeguard Specialist failing to follow department rules, regulations, policies, and procedures; perform all assigned duties and responsibilities, exercise good judgment, reporting requirements, harassing behavior, on or off duty behavior. The Commission adopted the findings and recommendation of the hearing officer who found that the department proved one of the two allegations were true and therefore, a 5-day suspension, as opposed to a 10-day suspension, is sustained. Commissioner Huntley dissented and Commissioner Tevrizian was absent.
4. Case No. 21-199, David Aldava (Dept. sustained in part) - The department discharged the employee from the position of Compliance Auditor for violating policies of disclosure of criminal convictions, ethics standards of conduct, designation of sensitive positions and conviction history assessments, disrespectful conduct/insubordination, on or off-duty criminal or unbecoming conduct, and performance to standards or expectations. The Commission adopted the findings and recommendation of the hearing officer who found that the department did not prove all the allegations were true and therefore a 30-day suspension is the appropriate discipline. Commissioner Tevrizian dissented, and Commissioner Huntley was absent.
5. Case No. 18-188, Manuel Scaglioti (Dept. sustained in part) – The department discharged the employee from the position of Refrigeration Mechanic for on or off-duty conduct, criminal or unbecoming conduct, following the employee's arrest and charges of firearms-related felonies and a misdemeanor. The Commission concluded that the department partially met its burden in proving the allegations, but that it did not prove a nexus between the employee's off duty conduct and the employee's job duties. As such, the Commission rejected hearing officer's recommendation to uphold the discipline and found that a 30-day suspension is the appropriate discipline. Commissioner Tevrizian was absent.



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6. Case No. 19-242, Robert Kelly (Dept. sustained in part) – The department discharged the employee from the position of Senior Lake Lifeguard for violating the code of ethics related to immoral or indecent conduct, violating the Policy of Equity, inappropriate conduct toward others, sexual harassment of fellow employees, general office practices, personal conduct, disrespectful conduct, unbecoming conduct, and performance to standards and expectations. The Commission adopted the findings of the hearing officer but rejected the recommendation to reduce the discharge to a seven-day suspension and sustained a 30-day suspension. Commissioners Segal and Donner dissented.
7. Case No. 19-73, Peace Officer (Dept. sustained in part) – The department discharged the employee from the position of Detention Services Officer for failure to follow restraint procedures and Safe Crisis Management policies, misuse of force, inappropriate use of O.C. spray, failure to perform job duties resulting in injuries to clients, failure to follow established rules or regulations, providing false information during an administrative investigation, falsifying documents, carelessness or inattention to duties resulting in improper service being rendered to clients, discourtesy to clients, asleep or inattentive while on duty, and failure to exercise sound judgement. The Commission adopted the findings and recommendation of the hearing officer who found that not all were allegations true. The discharge was reduced to a 30-day suspension.
8. Case No. 21-232, Peace Officer (Dept. sustained in part) - The department discharged the employee from the position of Deputy Probation Officer II for engaging in and failing to report employment or activity resulting in a conflict of interest, using official position for professional gain or advantage, removing reports or documents, withholding information, unauthorized use or misuse of County equipment or resources, misappropriating or unauthorized taking of County property, unauthorized or improper accessing of confidential records, unauthorized or improper use or disclosure of confidential information, unbecoming conduct, carrying on personal business during working hours, failure to exercise sound judgment, failure to follow established rules or regulations. The Commission adopted the findings and recommendation of the hearing officer to reduce the discharge to a 30-day suspension. Commissioner Huntley dissented. Commissioner Duran was absent.
9. Case No. 21-63, Peace Officer (Dept. sustained in part) – The department suspended the employee for 20 days from the position of Detention Services Officer for failure to follow restraint procedures and Safe Crisis Management policies, failure to perform duties resulting in injuries to clients, failure to cooperate in an administrative investigation, failure to follow established Rules and Regulations, and failure to exercise sound judgment. The Commission adopted the findings and recommendation of the hearing officer to reduce the 20-day suspension to 15 days. Commissioner Duran was absent.



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- 10.** Case No. 22-184, Daniel Perelman (Dept. not sustained) – The department suspended the employee for six days from their position of Fire Fighter Specialist for failure to carry out their official duties and responsibilities; failure to abide by and conform to rules, regulation, policies, and procedures; failure to perform all assigned duties and responsibilities; failure to exercise sound judgment; bringing discredit or embarrassment to the Department; engaging in off-duty conduct that impairs performance of duties; failure to perform to standards; and failure to follow COVID-19 exposure and employee sick reporting process. The Commission issued a proposed decision adopting the findings and recommendation of the hearing officer who found the department did not meet its burden of proving any of the allegations and the suspension not appropriate. Timely objections to the Commission’s proposed decision were not received, resulting in the Commission’s final decision to not sustain the department.
- 11.** Case No. 17-225, Peace Officer (Dept. sustained in part) – The department suspended the employee for 30 days from their position of Deputy Sheriff for unreasonable use of force on a handcuffed and tethered inmate. The Commission adopted the findings and recommendation of the hearing officer to sustain the 30-day suspension. Commissioner Duran was absent. The superior court remanded the matter to the Commission for reconsideration. On remand, the Commission issued a proposed decision adopting the findings and recommendation of the hearing officer to reduce the 30-day suspension to a 10-day suspension. No objection to the Commission’s proposed decision was filed before the deadline, resulting in the Commission’s final decision to sustain a 10-day suspension.
- 12.** Case No. 22-67, Kristine Swain (Dept. sustained in part) - The department suspended the employee for 30 days from the position of Fire Dispatcher II for failing to carry out official duties and responsibilities; failure to abide by and conform to the rules, regulations, policies, and procedures; failure to perform all assigned duties and responsibilities; failure to exercise good judgment; and failing to carry out any lawful order issued by a supervisor as they relate to the department’s Telephone Standby Procedures, Recall Procedures, and Attendance policies. In a proposed decision, the Commission adopted the findings and recommendation of the hearing officer who did not find all allegations to be true and reduced the discipline to a 3-day suspension. There being no timely objections filed, the Commission’s proposed decision became final, reducing the 30-day suspension to a three-day suspension.
- 13.** Case No. 18-174, Angel Morales (Dept. sustained in part) – The department discharged the employee from the position of Security Officer for general behavior, violation of the Policy of Equity—Discriminatory Harassment (other than sexual, sexual orientation), inappropriate conduct toward others (sexual orientation), use of derogatory language, dishonesty, making false statements or failure to make statements during administrative investigation, hazing, and workplace violence. The Commission adopted the findings of the hearing officer but disagreed with his recommendation to uphold the discharge and found a 30-day suspension appropriate. Commissioner Tevrizian was absent.



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- 14.** Case No. 21-103, Peace Officer (Dept. not sustained) – The department suspended the employee for 10 days from the position of Group Supervisor, Nights, for failure to be properly relieved of duty, unauthorized or unscheduled absences, delay in or lack of following instructions, failure to exercise sound judgment, and failure to follow established rules or regulations. The Commission adopted the findings and recommendation of the hearing officer to overturn the discipline entirely upon finding that three of the four allegations to be not true and other mitigating factors. No timely objections were filed, resulting in the Commission’s final decision to not sustain the department.
- 15.** Case No. 19-136, John Gardner (Dept. sustained in part) – The department suspended the employee for 10 days from the position of Law Enforcement Technician for use of communication equipment and systems, general behavior, obedience to laws, regulations and orders pertaining to permissible use or system use, as well as performance to standards. The Commission adopted the findings and recommendation of the hearing officer who found that the department met its burden in proving only the allegation of employee’s use of department email account to be true, warranting a substantial reduction in discipline. The Commission adopted the hearing officer’s recommendation to reduce the 10-day suspension to a written reprimand.
- 16.** Case No. 19-205, Peace Officer (Dept. sustained in part) – The department suspended the employee from the position of Deputy Sheriff for 15 days for performance to standards, obedience to laws, regulations, and orders as it pertains to Inmate Safety Checks. The Commission adopted the findings and recommendation of the hearing officer who found the department did not meet its burden of proving all the allegations and reduced the 15-day suspension to a 5-day suspension. Commissioner Duran was absent.
- 17.** Case No. 20-150, John Geoffrey Enriquez (Dept. sustained in part) – The department discharged the employee from the position of Security Officer for general behavior; obedience to laws, regulations and orders; and possession of department-issued firearm; and conduct toward others. The Commission adopted the findings of the hearing officer who found that the department failed to meet its burden of proving all of the allegations, particularly as they relate to the sexual conduct allegations. The Commission overturned the discharge and reduced it to a 20-day suspension. Commissioner Huntley dissented. Commissioner Donner was absent.
- 18.** Case No. 18-136, Peace Officer (Dept. not sustained) – The department discharged the employee from the position of Sergeant for professional conduct; general behavior; obedience to laws, regulations, and orders as it pertains to immoral conduct; and dishonesty/failure to make statements or making false statements during internal investigations. The hearing officer found that the department did not establish the allegations and found the discipline to be inappropriate. After having read the record, the Commission adopted as its final decision not to sustain the department. Commissioners Donner and Segal dissented.



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- 19.** Case No. 20-124, Peace Officer (Dept. not sustained) – The department discharged the employee from the position of Deputy Sheriff for family violence, general behavior, and making false statements during internal investigations. The Commission adopted the findings and recommendation of the hearing officer who found that the department failed to meet its burden of proving any of the allegations and adopted as its final decision not to sustain the department. Commissioners Segal and Donner dissented.
- 20.** Case No. 22-7, Peace Officer (Dept. not sustained) - The department suspended the employee from the position of Deputy Sheriff for 15 days for performance to standards; obedience to laws; regulations and orders as it relates to routine safety checks, closed circuit television, and safeguarding persons in custody. The Commission adopted the findings and recommendation of the hearing officer who found not all of the allegations were proven true and several mitigating factors justify reducing the 15-day suspension to 10 days. Commissioner Huntley was absent. No timely objections were filed, resulting in the 10-day suspension to be final.